

# AUSTIN CITY COUNCIL AGENDA

THURSDAY, MARCH 23, 2006, THE COUNCIL CHAMBERS OF CITY HALL, 301 WEST  
2ND STREET, AUSTIN, TEXAS.



For meeting information, contact the City Clerk, 974-2210

THE CITY OF AUSTIN IS COMMITTED TO COMPLIANCE WITH THE  
AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND  
EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST.  
FOR ASSISTANCE PLEASE CALL 974-3256 OR 974-2445 TDD.

---

WILL WYNN, MAYOR ♦ DANNY THOMAS, MAYOR PRO TEM  
LEE LEFFINGWELL ♦ RAUL ALVAREZ ♦ JENNIFER KIM ♦ BETTY DUNKERLEY ♦ BREWSTER MCCracken

**NOTICE OF REGULAR MEETING  
THURSDAY, MARCH 23, 2006**

9:55 A.M. Invocation.....	3
10:00 A.M. City Council Convenes.....	3
READING AND ACTION ON CONSENT AGENDA.....	3
Meeting Minutes .....	3
Austin Water Utility.....	3
Financial and Administrative Services .....	4
Financial and Administrative Services - Communications and Technology Management.....	4
Health and Human Services.....	4
Law .....	6
Library.....	6
Police.....	6
Public Works.....	6
Purchasing.....	10
ITEMS FROM COUNCIL .....	14
Item(s) to Set Public Hearing(s) .....	15
12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL .....	16
EXECUTIVE SESSION (No Public Discussion On These Items) .....	16
Personnel Matters - Section-551.074.....	16
1:00 P.M. BRIEFINGS.....	17
3:00 P.M. BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION. The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. The AHFC Board may go into a closed session on any item on the AHFC agenda under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, or for other reasons permitted by law as specifically listed on this agenda. Following adjournment of the AHFC Board meeting the City Council will re-convene.....	17
4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS.....	18
Zoning Ordinances / Restrictive Covenants .....	18
Zoning and Neighborhood Plan Amendment Hearings and Approval of Ordinances / Restrictive Covenants .....	20
5:30 P.M. LIVE MUSIC AND PROCLAMATIONS .....	22
LIVE MUSIC.....	22
PROCLAMATIONS.....	22
6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION.....	23
Neighborhood Housing and Community Development .....	23

**9:55 A.M. Invocation**

Brother Jim Colley, Church of Christ Capital City Congregation.

**10:00 A.M. City Council Convenes**

**THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT 10:00 AM ON THURSDAY, MARCH 23, 2006, IN THE COUNCIL CHAMBERS OF CITY HALL, 301 WEST 2ND STREET, AUSTIN, TEXAS.**

The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.

**READING AND ACTION ON CONSENT AGENDA****ACTION ON THE FOLLOWING:**

**ORDINANCES / RESOLUTIONS / MOTIONS** - All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

**Meeting Minutes**

1. Approval of the minutes from the meeting of March 9, 2006.

**Austin Water Utility**

2. Approve an ordinance amending Ordinance No. 20050912-004, the Fiscal Year 2005-2006 Fee Schedule for Austin Water Utility to change the methodology used in calculating and setting wastewater averages. (Review by Water and Wastewater Commission on 3/20/06.)

**Financial and Administrative Services**

3. Approve an ordinance authorizing acceptance of grant funds in the amount of \$51,533 from the Texas Department of Public Safety, Division of Emergency Management, for temporary sheltering in local hotels and motels under Presidential Disaster Declaration FEMA 1606 DR resulting from the Hurricane Rita evacuation; and amending the Fiscal Year 2005-2006 Financial and Administrative Services Operating Budget Special Revenue Fund of Ordinance No. 20050912-001 to appropriate \$51,533 for costs related to temporary evacuee sheltering in local hotels and motels. (\$51,533 is available from the Texas Department of Public Safety, Division of Emergency Management.)

**Financial and Administrative Services - Communications and Technology Management**

4. Approve an ordinance changing the street name PAULING FALLS COVE to CALIFORNIA COVE. (The processing fee of \$238.44 has been determined for one street sign location, at the corner of SENECA FALLS LOOP and PAULING FALLS COVE.)

**Health and Human Services**

5. Approve an ordinance authorizing acceptance of \$581,000 in grant funds from the TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES, Austin, TX; and amending the Fiscal Year 2005-2006 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 20050912-001 to appropriate \$581,000 for the Youth of Promise Initiative Community Youth Development Program (CYD) to prevent juvenile crime through evidence-based youth development activities in the Southeast Austin 78744 zip code area, and authorize the increase of two half-time equivalent grant positions to two full-time equivalent grant positions, eliminate one full-time equivalent grant position and create one new full-time equivalent grant position. These additional grant funds bring the total grant amount to \$794,000. (Funding in the amount of \$581,000 is available from the Texas Department of Family and Protective Services. The grant period is from March 1, 2006 through August 31, 2007. No City match required.) (Related Items 6, 7)

6. Authorize execution of a 6-month contract with BIG BROTHERS BIG SISTERS OF CENTRAL TEXAS, INC., Austin, TX for youth-related services in an amount not to exceed \$51,000, with two 12-month renewal options in an amount not to exceed \$102,000 per renewal option, for a total contract amount not to exceed \$255,000; and with FAMILY FORWARD INC., Austin, TX for youth-related services in an amount not to exceed \$59,776, with two 12-month renewal options in an amount not to exceed \$119,552 per renewal option, for a total contract amount not to exceed \$298,880. (Funding in the amount of \$110,776 is available in the Special Revenue Fund for the Health and Human Services Department. The initial contract period will be March 1, 2006 - August 31, 2006. Agreement period runs concurrent with the grant period. Included Renewal funds are subject to availability of Grant Funds in future respective years.) (Related Items 5, 7)
7. Authorize negotiation and execution of an Interlocal Cooperation Agreement between the City of Austin and the AUSTIN INDEPENDENT SCHOOL DISTRICT for the 78744 Youth of Promise Initiative Community Youth Development Program (CYD) in an amount not to exceed \$28,000, with two 12-month renewal options, in an amount not to exceed \$56,000 per renewal option, for a total contract amount not to exceed \$140,000. (Funding in the amount of \$28,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget for the Health and Human Services Department Special Revenue Fund. The initial contract period will be March 1, 2006 - August 31, 2006. Agreement period runs concurrent with the grant period. Included Renewal funds are subject to availability of Grant Funds in future respective years) (Related Items 5, 6)
8. Authorize execution of Amendment #3 to the 12-month contract with FRONT STEPS, INC., Austin, TX, for the provision of homeless social services at the Austin Resource Center for the Homeless (ARCH) in an amount not to exceed \$413,327 for a Fiscal Year 2005-2006 total contract amount not to exceed \$1,704,751, and a combined total contract amount not to exceed \$4,020,822 for the period April 1, 2004, through September 30, 2006. (Funding in the amount of \$413,327 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department. The contract period is October 1, 2005, through September 30, 2006)
9. Authorize execution of a 9-month supplemental one-time contract with CAPITAL IDEA, Austin, TX, in a contract amount not to exceed \$50,000, to provide workforce development services for eligible individuals so they may obtain and retain employment at a livable wage. (Funding in the amount of \$50,000 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department. The term for the supplemental contract is January 1, 2006 through September 30, 2006.)

**Law**

10. Approve an ordinance amending Ordinance No. 20060302-035 related to the budgets of the City Auditor and the Austin Convention Center to state the correct fiscal year.

**Library**

11. Approve an ordinance authorizing acceptance of \$105,000 in grant funds from the Bill and Melinda Gates Foundation and amending the Fiscal Year 2005-2006 Operating Budget Special Revenue Fund of Ordinance No. 20050912-001 to appropriate \$105,000 to the Austin Public Library for the Public Access Computer Hardware Upgrade Program. (Funding in the amount of \$105,000 is available from the Bill and Melinda Gates Foundation. The grant period is January 1, 2006 through December 31, 2006. No City match is required.)

**Police**

12. Approve a resolution authorizing application and acceptance of \$25,583 in grant renewal funding from the State of Texas, Office of the Governor, Criminal Justice Division, Juvenile Accountability Incentive Block Grant Program (JAIBG), to continue enforcement of juvenile Class C Misdemeanor offenses and to contract with La FUENTE for a juvenile diversion program. (Grant funding is available from the State of Texas, Office of the Governor, Criminal Justice Division, for the grant period of August 1, 2006 through July 31, 2007. A cash match of \$2,843 is required and is included in the Fiscal Year 2005-2006 Operating Budget of the Police Department. Total funding for the JAIBG project is \$28,426.)

**Public Works**

13. Approve a resolution authorizing the filing of eminent domain proceedings for the Austin Clean Water Program: Onion Creek Lower South Boggy Phase II Project to acquire a permanent access easement comprising 109 square feet of land and a permanent access easement comprising 1,328 square feet of land out of Lot 1, Block A, Beaconridge VII, a Subdivision in the City of Austin, in the amount of \$1,437. The owners of the property sought to be condemned are H. Michael Giles and PARMER 6, L.T.D., of Austin, TX. The property is located at the southeast corner of South 1st Street and Dittmar Road, Austin, Travis County, Texas. (Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.)

14. Approve a resolution authorizing an acquisition for the Austin Clean Water Program: Govalle1-Newton Street Area Wastewater Project of a wastewater easement comprising 2,054 square feet of land, and a temporary working space easement, comprising 1,974 square feet of land, both out of a portion of Lot 13, Block 3-B, C.A. Newning's and George Warners Subdivision of Blocks 3-B and 4-B, Swisher Addition, in Travis County, TX, located at 414 West Annie Street, from George Robert McLaughlin Wert and Audra Wert an amount not to exceed \$63,225. (Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.)
15. Authorize negotiation and execution of up to a three month lease renewal for 5,983 square feet of office space for the Family Violence Protection Team of the Austin Police Department, located at 1106 Clayton Lane, Suites 415E, 456E and 490E, from TWIN TOWERS LTD. PARTNERSHIP, in an amount not to exceed \$21,598.74. (Funding is available in the Fiscal Year 2005-2006 Operating Budget of the Austin Police Department.)
16. Authorize negotiation and execution of a 15-month lease renewal for 1,643 square feet of storage space for the Organized Crime Unit of the Austin Police Department, located at 6448 Highway 290 East, from MB-LA COSTA LTD., in an amount not to exceed \$22,500. (Funding is available in the Fiscal Year 2005-2006 Operating Budget of the Austin Police Department.)
17. Authorize negotiation and execution of a professional services agreement with HDR ENGINEERING, INC., Austin, TX, for engineering services for design, bid and construction phase support for the Fort Branch Watershed Management Area Reach 6 and 7-Truelight Area and Eleanor Drive in an amount not to exceed \$650,000. (Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Watershed Protection and Development Review Department.) Best qualification statement of 10 Statements of Qualification received. 17.7% MBE and 15.0% WBE subcontractor participation.
18. Authorize negotiation and execution of a professional services agreement with KWR ENGINEERING, L.L.C., Austin, TX (WBE/FR), for building commissioning services for the Library Department, in an amount not to exceed \$60,000 annually for three years for a total amount not to exceed \$180,000. (Funding in the amount of \$180,000 is available in the Approved Capital or Operating Budget of the Library Department.) Best qualification statement of five received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

19. Authorize execution of a construction contract with BRH GARVER CONSTRUCTION LP, (NON M/WBE 10%). Houston, TX, for Walnut Creek Service to Annexed Areas Project A in the amount of \$8,857,097 plus a \$442,855 contingency, for a total contract amount not to exceed \$9,299,952. (Funding in the amount of \$9,299,952 is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.) Lowest bid of 3 received. 13.32% MBE and 69.46% WBE subcontractor participation. (Recommended by the Water and Wastewater Commission.)
20. Authorize the execution of change order # 4 to the construction contract with STEWART-MATL LTD. Austin, TX, for change order costs associated with utility conflicts and miscellaneous mechanical and structural changes on the Austin-Bergstrom International Airport Elevator and Escalator Improvements Project in the amount of \$319,500. \$138,110 of the construction contingency previously approved by Council is still available and additional authorization of \$181,390 is required, for a total contract amount not to exceed \$5,033,490. (Funding in the amount of \$181,390 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Aviation Department.) 1.02% DBE Subcontractor Participation to date. (Recommended by Airport Advisory Commission.)

21. Authorize execution of an amendment to the professional services agreement with the following 25 firms: CLAUNCH & MILLER, INC., Houston, TX; RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA), Austin, TX; CARRASQUILLO ASSOCIATES – LOC CONSULTANTS TEAM JOINT VENTURE (MBE/MH), Austin, TX; URBAN DESIGN GROUP (WBE/FR), Austin, TX; MARTINEZ, WRIGHT & MENDEZ, INC. (MBE/MH), Austin, TX; HEJL, LEE & ASSOCIATES, INC., Austin, TX; DAVCAR ENGINEERING SERVICES (MBE/MH), Austin, TX; RATNALA & BAHL, INC., Austin, TX; BROWN AND CALDWELL, Austin, TX; HALFF ASSOCIATES, INC., Austin, TX; KURKJIAN ENGINEERING CORPORATION (WBE/FH), Austin, TX; OTHON, INC. (MBE/MH), Austin, TX; ESPEY CONSULTANTS, INC. - MONTGOMERY WATSON HARZA TEAM JOINT VENTURE, Austin, TX; SUNLAND GROUP (MBE/MH), Austin, TX; WESTON SOLUTIONS, INC., Austin, TX; BLACK & VEATCH CORPORATION, Austin, TX; JASTER-QUINTANILLA & ASSOCIATES, INC. (MBE/MH), Austin, TX; KLOTZ ASSOCIATES, INC., Austin, TX; JOSE I. GUERRA, INC. (MBE/MH), Austin, TX; LOCKWOOD, ANDREWS & NEWNAM, INC., Austin, TX; VICKREY & ASSOCIATES, INC., (WBE/FR), Austin, TX; FREESE & NICHOLS, INC., Austin, TX; PBS&J, Austin, TX; BINKLEY & BARFIELD, INC., Austin, TX; HDR ENGINEERING, INC., Austin, TX, for engineering services for Sanitary Sewer Replacement and Rehabilitation Design Services Rotation List (ACWP) in the amount not to exceed \$8,500,000 for a total contract amount not to exceed \$39,500,000 for the 25 Rotation List firms. (Funding in the amount of \$8,500,000 is included in various CIP Projects and Capital Budgets of the Austin Water Utility.) 32.1% MBE and 24.3% WBE participation to date. (A quorum of the Water and Wastewater Commission was not available to vote on this item during the March 1, 2006 meeting. This item will be reviewed at a Special Called meeting of the Water and Wastewater Commission on March 20, 2006.)
22. Approve an ordinance to amend Section 12-4-41 of the City Code to establish a 35 mile per hour speed limit on La Crosse Avenue from Loop 1 West Frontage Road to Escarpment Boulevard and on Wedgewood Drive from Braker Lane to 0.32 miles north of Braker Lane, and to amend Section 12-4-42 of the City Code to establish 40 mile per hour speed limit on La Crosse Avenue from Escarpment Boulevard to Seneca Falls Drive and on Pond Springs Road from Hunters Chase Drive to U.S. Highway 183 Service Road Northbound (North Intersection). (Funding in the amount of \$1300 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department for the installation of necessary signs.)

23. Authorize payment to ENTERPRISE TEXAS PIPELINE L.P. for the City's participation of the utility relocation of approximately 157 feet of casing extension for a 20-inch natural gas pipeline owned by Enterprise Texas Pipeline L.P. for the State Highway 71 Project, from Woodward Street to FM 973 in Del Valle for the State Highway 71 Project in accordance with the June 27, 1986 Agreement for the Right-of-Way Procurement with the Texas Department of Transportation in the amount not to exceed \$140,914.93. (Funding in the amount of \$14,091.49 (the City's 10% contribution to the project) is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department.)

**Purchasing**

24. Authorize negotiation and execution of a two-year interlocal agreement with CLEAN ENERGY INCUBATOR (CEI), a program of the IC2 Institute at the University of Texas, Austin, TX, for mutual assistance in the clean energy field in an amount not to exceed \$250,000 in the first year, and an amount not to exceed \$270,000 in the second year, for a total amount not to exceed \$520,000. (Funding in the amount of \$250,000 is available in the Fiscal Year 2005-2006 Amended Operating Budget for Austin Energy. Funding for the second year is contingent upon available funding in future budgets.) Interlocal Agreement.
25. Authorize execution of a contract with ATLAS MANUFACTURING COMPANY, INCORPORATED, Monticello, MS, for the overhaul of a traveling water screen at the river pump station, Decker Power Plant, in an amount not to exceed \$47,995.00. (Funding is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy.) Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
26. Authorize execution of a contract with PK & L CONSTRUCTION, Austin, TX, (WBE/ER-100%) for the relining of gas turbine stack #4 at Decker Power Plant in an amount not to exceed \$57,330.75. (Funding is available in the Fiscal Year 2006-2006 Approved Operating Budget of Austin Energy.) Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

27. Authorize execution of a contract with PROTON ENERGY SYSTEMS, Wallingford, CT, for a hydrogen gas generator unit and extended service warranty for the Decker Power Plant in the amount not to exceed \$109,995. (Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of Austin Energy.) Sole Source. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
28. Authorize execution of a 12-month supply agreement with HANSON PIPE & PRODUCTS, Austin, TX, for concrete pull boxes in an amount not to exceed \$48,297.25, with two 12-month extension options in an amount not to exceed \$48,297.25 per extension option, for a total agreement amount not to exceed \$144,891.75. (Funding in the amount of \$24,148.62 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Only bid received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program.) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
29. Authorize execution of a 12-month supply agreement with CONTROLL FORMS, Menomonee Falls, WI, for utility statement forms and bond paper in an amount not to exceed \$58,553, with two 12-month extension options in an amount not to exceed \$58,553 per extension option, for a total agreement amount not to exceed \$175,659. (Funding in the amount of \$29,277 is included in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining six months of the original contract period and the extension options is contingent upon available funding in future budgets.) Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for the solicitation.
30. Authorize execution of Amendment No. 2 to the contract with TECHLINE INC., Austin, TX, for 3-phase switchgear to increase the first extension option in an amount not to exceed \$136,556, for a revised total contract amount not to exceed \$682,780. (Funding in the amount of \$136,556 is available in the Fiscal Year 2005-2006 Approved Operating Budget (Inventory Fund) of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.) This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program.) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

31. Ratify execution of a contract with SOUTHWEST ELECTRIC COMPANY, Oklahoma City, OK, for remanufacturing of a power transformer in an amount not to exceed \$412,059. (Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of Austin Energy.) Lowest bid of two bids received. This contract was awarded in accordance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
32. Authorize execution of a contract with HILL COUNTRY FENCE, INC., Spicewood, TX, for the clearing of selected woody vegetation for Areas 2 and 3 within the Water Quality Protection Lands for the Austin Water Utility in an amount not to exceed \$48,835. (Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility.) Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
33. Authorize execution of a 12-month supply agreement with CUSTOM CRETE/CUSTOM STONE SUPPLY, Austin, TX, for ready mix concrete for the Austin Water Utility in an amount not to exceed \$91,931.20, with two 12-month extension options in an amount not to exceed \$91,931.20 per extension, for a total contract amount not to exceed \$275,793.60. (Funding in the amount of \$45,966 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
34. Authorize execution of a 12-month supply agreement with DXI INDUSTRIES, INC., Houston, TX, for liquid chlorine for the Austin Water Utility in an amount not to exceed \$1,021,104, with two 12-month extension options in an amount not to exceed \$1,021,104 per extension option, for a total agreement not to exceed \$3,063,312. (Funding in the amount of \$510,552 is available in Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining six months and extension options is contingent upon available funding in future budgets.) Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

35. Authorize execution of a 12-month supply agreement with HERSEY METERS COMPANY, Cleveland, NC, in an amount not to exceed \$267,352, with two 12-month extension options in an amount not to exceed \$267,352 per extension option, for a total contract amount not to exceed \$802,056; and with BADGER METER, INC., Milwaukee, WI, in an amount not to exceed \$94,647, with two 12-month extension options in an amount not to exceed \$94,647 per extension option, for a total contract amount not to exceed \$283,941, for the purchase of water meters for the Austin Water Utility. (Funding in the amount of \$181,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bids of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
36. Authorize execution of a 12-month supply agreement with POLYDYNE, INC., Riceboro, GA, for liquid emulsion polymer for sludge dewatering for the Austin Water Utility in an amount not to exceed \$461,582.91, with two 12-month extension options in an amount not to exceed \$476,472.69 for the first extension option and \$491,360.10 for the second extension option, for a total agreement amount not to exceed \$1,429,415.70. (Funding in the amount of \$230,791.45 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining six months of the original contract and extension options is contingent upon available funding in future budgets.) Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
37. Authorize execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with SIDDONS FIRE APPARATUS, INC., Houston, TX, for the purchase of one pumper and two ladder fire trucks for the Austin Fire Department in an amount not to exceed \$1,807,763.01. (Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of Fleet Services, Financial Services Department.) Cooperative Purchase.

38. Authorize execution of nine contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with: RDO EQUIPMENT CO., Pflugerville, TX, for three articulating tractor loaders, one tractor/loader/backhoe, three mini hydraulic excavators, one medium hydraulic excavator with breaker, two skid steer loaders, one articulated motor grader, and one track loader in an amount not to exceed \$1,166,579.89; WIRTGEN AMERICA, INC., Antioch, TN, for three asphalt rollers in an amount not to exceed \$298,130.00; LANDMARK EQUIPMENT, INC., Irving, TX, for three agricultural tractors with mowers in an amount not to exceed \$173,157.15; TYMCO INTERNATIONAL, LTD., Waco, TX, for two street sweepers in an amount not to exceed \$274,044.60; RELIANCE TRUCK & EQUIPMENT, LTD., San Antonio, TX, for six rear loading refuse collection bodies in an amount not to exceed \$337,839.30; LONGHORN INTERNATIONAL TRUCKS LTD, Austin, TX, for five truck cab & chassis in an amount not to exceed \$526,416.65; INTERSTATE TRAILERS, INC., Mansfield, TX, for two equipment trailers in an amount not to exceed \$62,856.00; RUSH TRUCK CENTER, Houston, TX, for three cab & chassis for loader/dump trucks in an amount not to exceed \$191,837.19; and with EQUIPMENT SOUTHWEST, INC., Irving, TX, for three dump bodies with front loader attachments in an amount not to exceed \$244,359.00. (Funding in the amount of \$40,453.89 is available in the Fiscal Year 2005-2006 Approved Vehicle Acquisition Fund. Funding in the amount of \$116,358.10 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Aviation Department. Funding in the amount of \$477,526.09 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility. Funding in the amount of \$1,069,985.29 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Public Works Department. Funding in the amount of \$1,138,300.55 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Solid Waste Services Department. Funding in the amount of \$432,595.86 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Watershed Protection and Development Review Department.) Cooperative Purchase.

#### **ITEMS FROM COUNCIL**

39. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies, and removal and replacements of members.
40. Approve a resolution regarding the compensation and benefits for the City Auditor. (Related Item 45)(Mayor Will Wynn, Mayor Pro Tem Danny Thomas and Council Member Betty Dunkerley)

41. Approve a resolution regarding the compensation and benefits for the City Clerk. (Related Item 46)(Mayor Will Wynn, Mayor Pro Tem Danny Thomas and Council Member Betty Dunkerley)
42. Approve waiver of certain rental and facility use fees for an Austin Police Association fundraising event for an injured officer to be held at the Havins Softball Complex on March 25-26, 2006. (Mayor Pro Tem Danny Thomas and Council Member Lee Leffingwell)
43. Approve a resolution directing the City Manager to study the cost and feasibility of relocating Austin Energy's Justin Lane Service Center and the effect of such relocation on promoting development within the Lamar Boulevard / Justin Lane Transit-Oriented Development District. (Council Member Raul Alvarez, Mayor Will Wynn and Council Member Lee Leffingwell)

**Item(s) to Set Public Hearing(s)**

44. Set a public hearing to consider an ordinance amending Section 25-2-332 of the City Code relating to conditional overlays and mixed use combining districts. (Suggested date and time: April 20, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street.) (Recommended by Planning Commission (Vote: 8-0).)

**12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL**

Robert MacDonald - Fair Business with regard to Austin Found

Paul Robbins - City Issues

Colin Clark - Saving Barton Springs!

Chris Johnson - Police - Quite of Life

Jennifer Gale - Reusables vs. Recycling - Why business and homeless should already be winners.

Paul Avina - Traffic Problems

Pat Johnson - Current Issues

CarolAnneRose Kennedy - How the West was One ... A Pink Plantation

Melissa Joulwan - Texas Rollergirls Rock-N-Rollerderby and the Flat Track National Championship

**EXECUTIVE SESSION (No Public Discussion On These Items)****Personnel Matters - Section-551.074**

- 45. Evaluate the performance of and consider compensation and benefits for the City Auditor. (Related Item 40)
- 46. Evaluate the performance of and consider compensation and benefits for the City Clerk. (Related Item 41)

**Private Consultation with Attorney - Section 551.071**

- 47. Discuss legal issues related to design and construction of the airport garage.
- 48. Discuss legal issues related to *La Theava Stevens v. City of Austin, et al.*; Cause No. A-05-CA-378-SS; in the U.S. District Court, Western District, Austin Division. (concerns alleged discrimination)

49. Discuss legal issues related to *Save Our Springs Alliance, Inc. v. City of Austin*; Cause No. GN-06-000627; in the 200<sup>th</sup> Judicial District Court of Travis County, Texas. (concerns development by Advanced Micro Devices (AMD) and an alleged violation of the Save Our Springs ordinance and the Open Meetings Act)

**1:00 P.M. BRIEFINGS**

50. Briefing on transportation and drainage bonds for the 2006 bond election.
51. Presentation on First Night Austin 2006.
52. Presentation on Conceptual Building Design for Block 21.

**3:00 P.M. BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.** The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. The AHFC Board may go into a closed session on any item on the AHFC agenda under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, or for other reasons permitted by law as specifically listed on this agenda. Following adjournment of the AHFC Board meeting the City Council will re-convene.

- AHFC- 1 Approve the minutes of the January 12, 2006 Board meeting of the Austin Housing Finance Corporation.
- AHFC- 2 Approve the negotiation and execution of a Rental Housing Development Assistance Program loan to NMF Housing VI, Incorporated, in an amount not to exceed \$180,000 for the acquisition of two multi-family rental properties comprising a total of 15 efficiency units for low-income persons with mental disabilities at 6607 and 7102 Guadalupe Street, subject to environmental assessment and in compliance with applicable federal regulations including the Code of Federal Regulations Title 24 Section 85.40 performance goals. (Funding is available in Community Development Block Grant funding in the Fiscal Year 2005-2006 budget allocation of the Austin Housing Finance Corporation under the Rental Housing Development Assistance Program.)

- AHFC- 3      Approve the negotiation and execution of a Rental Housing Development Assistance Program loan to Youth and Family Alliance, Inc., dba LifeWorks, in an amount not to exceed \$300,000 to develop a six-unit, 12-bed transitional housing facility for low-income homeless youth and young adults located at 3710 South 2<sup>nd</sup> Street, subject to environmental assessment and in compliance with applicable federal requirements, including Code of Federal Regulation Title 24 Section 85.40 performance goals. (Funding is available in the City of Austin Housing Trust Fund in the Fiscal Year 2005-2006 Austin Housing Finance Corporation budget allocation under the Rental Housing Development Assistance Program.)

**4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS**

**Zoning Ordinances / Restrictive Covenants**

53.    C14-05-0137 - 1109 South Lamar - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1109 South Lamar (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to commercial-liquor sales-conditional overlay (CS-L-CO) combining district zoning. First reading approved on February 9, 2006. Vote: 7-0. Applicant and Agent: Bobbie Lemmond. City Staff: Robert Heil, 974-2330.
54.    C14-05-0209 - Big 4 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 221 Ralph Ablanado Drive (Onion Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. First reading approved on March 2, 2006. Vote: 7-0. Applicant: Big 4 Auto Parts (Jim Pallas). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.
55.    C14-05-0214 - 4603 Commercial Park Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4603 Commercial Park Drive (Walnut Creek Watershed) from interim-single family standard lot (I-SF-2) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. First reading approved on March 9, 2006. Vote: 7-0. Applicant and Agent: James White. City Staff: Robert Heil, 974-2330.

56. C14-05-0216 - 4803, 4807, 4811 Commercial Park Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4803, 4807 and 4811 Commercial Park Drive (Walnut Creek Watershed) from interim-single family-standard lot (I-SF-2) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. First reading approved on March 9, 2006. Vote: 7-0. Applicant and Agent: Dalton Wallace. City Staff: Robert Heil, 974-2330.
57. C814-90-0003.13 - Harris Branch PUD Amendment #13 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1375 U.S. Highway 290 East at Proposed State Highway 130 (Harris Branch, Gilleland Creek, Decker Creek Watersheds) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. First reading approved on October 27, 2005. Vote: 6-0, Council Member Alvarez off the dais. Applicant: Austin HB Residential Properties (John McCullough). Agent: Minter, Joseph & Thornhill, P.C. (John M. Joseph). City Staff: Sherri Sirwaitis, 974-3057.
58. NPA-05-0013.01 - 2008-A South First Street - Approve second/third readings of an ordinance amending Ordinance 020523-32 (Bouldin Neighborhood Plan), an element of the Austin Tomorrow Comprehensive Plan, to change the future land use map from single-family use designation to mixed use designation for the property located at 2008-A South First Street (East Bouldin Creek Watershed). First reading approved on February 2, 2006. Vote: 7-0. Applicant and Agent: Jose Luis Versalles. City Staff: Robert Heil, 974-7694. (Related Item 59)
59. C14-05-0152 - Versalles Body Shop - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2008-A South 1<sup>st</sup> Street (Bouldin Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. First reading approved on February 2, 2006. Vote: 7-0. Applicant and Agent: Jose Versalles. City Staff: Robert Heil, 974-2330. (Related Item 58)
60. C14-05-0195 - Crippen Sheet Metal - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8501 Peaceful Hill Lane (Onion Creek Watershed) from development reserve (DR) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. First reading approved on March 2, 2006. Vote: 7-0. Applicant: Crippen Sheet Metal (Jimmy Crippen). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.

**Zoning and Neighborhood Plan Amendment Hearings and Approval of Ordinances  
/ Restrictive Covenants**

- Z- 1            C14-04-0030 - Time Insurance, Inc. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405 & 1415 East Riverside Drive (Town Lake Watershed) from limited office (LO) district zoning and family residence (SF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Planning Commission Recommendation: To deny community commercial-mixed use (GR-MU) combining district zoning. Applicant and Property Owner: Schuler Family Trust 1998 (John Schuler) Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.
- Z- 2            C14-05-0175 - Newmark Homes - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the City Code by zoning property locally known as Northwest corner of South First Street and West FM 1626 (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning for Tract 1 and single-family residence-standard lot (SF-2) district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and single-family residence-standard lot (SF-2) district zoning for Tract 2 with conditions. Applicant: Riddell Family Limited Partnership (Wayne J. Riddell); 1626 Willows, L.P. (Jack D. Holford). City Staff: Wendy Walsh, 974-7719.
- Z- 3            C14-05-0202 - Crown Castle - Spicewood Springs - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4919 Spicewood Springs Road (Bull Creek Watershed) from interim-family residence (I-SF-3) district zoning to general office (GO) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Crown Castle USA, Inc. (Tim Dowdle). Agent: Vincent Gerard & Associates (Kayla Bryson) City Staff: Jorge E. Rousselin, 974-2975.

- Z- 4            C14-05-0207 - 6863 U.S. Hwy. 290 West - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 6863 U.S. Highway 290 West (Williamson Creek Watershed) from interim single-family residence-standard lot (I-SF-2) district zoning to neighborhood commercial (LR) district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning. Applicant and Agent: Narciso Saucedo, Jr. City Staff: Robert Heil, 974-2330.
- Z- 5            C14-06-0006 - Training Room Sports, L.L.P. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13713 Research Boulevard (Lake Creek Watershed) from community commercial (GR) district zoning and interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Jefferson-Pilot Life Insurance Company (J. Michael Solomon). Agent: The Faust Group. City Staff: Sherri Sirwaitis, 974-3057.
- Z- 6            C14H-05-0033 - Fitzgerald Short House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 502 East 32nd Street (Waller Creek Watershed) from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning to family residence-historic-conditional overlay-neighborhood plan (SF-3-II-CO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic-conditional overlay-neighborhood plan (SF-3-II-CO-NP) combining district zoning. Applicant: Byron Elliott Short and Mary Aileen Gauntt. City Staff: Steve Sadowsky, 974-6454.
- Z- 7            C14H-06-0001 - Manning-Udden-Bailey House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 901 West 31st Street (Shoal Creek Watershed) from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning to family residence-historic-conditional overlay-neighborhood plan (SF-3-II-CO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Applicant: Donna Endres. City Staff: Steve Sadowsky, 974-6454.

- Z- 8 C14-05-0151 - Flex 15 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8420 Longview Road (Williamson Creek Watershed - Barton Springs Zone; South Boggy Creek Watershed) from rural residence (RR) district zoning to multi-family residence-medium density (MF-3) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning with conditions. Applicant: Flex Realty, L.P. (Brett Vance). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.

### **5:30 P.M. LIVE MUSIC AND PROCLAMATIONS**

#### **LIVE MUSIC**

Rusty Wier

#### **PROCLAMATIONS**

Proclamation - Austin Earth Month - to be presented by Mayor Will Wynn and to be accepted by Ryan Orendorf

Proclamation - Consulting Business Start-Up Conference - to be presented by Mayor Will Wynn and to be accepted by Sue Edwards and Rosy Jalili

Proclamation - Purchasing Month - to be presented by Mayor Will Wynn and to be accepted by Jerry Binder and Urcha Dunbar-Crespo

Proclamation - National Flood Awareness Month - to be presented by Mayor Will Wynn and to be accepted by Larry Eblen and Steve Collier

Proclamation - Sixth Street Day - to be presented by Mayor Will Wynn and to be accepted by Kevin Walker

Proclamation - Mental Retardation and Developmental Disability Awareness Month - to be presented by Council Member Brewster McCracken and to be accepted by Susan Eason

Distinguished Service Award - Capt. Louie White - to be presented by Mayor Pro Tem Danny Thomas and City Manager Toby Hammett Futrell and to be accepted by the honoree

**6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION****Neighborhood Housing and Community Development**

61. Conduct a public hearing to receive citizen comments on community needs in order to develop the City's (1) the annual Action Plan for Fiscal Year 2006-2007, related to allocation of the U.S. Department of Housing and Urban Development grant funds, and (2) Community Development Fiscal Year 2006-2007 Program required by Texas Local Government Code Chapter 373, including proposed funding allocations.

**ADJOURN**

**THE CITY OF AUSTIN IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE PLEASE CALL 974-3256 OR 974-2445 TDD.**

A person may request a Spanish language interpreter be made available by contacting the City Clerk's Office at 974-2210 no later than three hours before the scheduled time of the item on which the person wishes to speak at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal al 974-2210 a no más tardar de tres horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar en la sesión del Consejo.

Council Meetings

January 12, 2006

January 26, 2006

February 2, 2006

February 9, 2006

February 16, 2006

March 2, 2006

March 9, 2006

March 23, 2006

April 6, 2006

April 20, 2006

April 27, 2006

May 4, 2006

May 18, 2006

May 25, 2006

June 8, 2006

June 22, 2006

July 27, 2006

August 10, 2006

August 24, 2006

August 31, 2006

September 11, 12, 13

(Budget Readings)

September 28, 2006

October 5, 2006

October 19, 2006

October 26, 2006

November 2, 2006

November 16, 2006

November 30, 2006

December 7, 2006

December 14, 2006

Cancelled Meetings

January 5, 2006

January 19, 2006

February 23, 2006

March 16, 2006

March 30, 2006

April 13, 2006

May 11, 2006

June 1, 2006

June 15, 2006

June 29, 2006

July 6, 2006

July 13, 2006

July 20, 2006

August 3, 2006

August 17, 2006

September 7, 2006

September 14, 2006

September 21, 2006

October 12, 2006

November 9, 2006

November 23, 2006

December 21, 2006

December 28, 2006